

09-10-04

ACE/2171
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/221,542
	Filing Date	December 28, 1998
	First Named Inventor	LABRIE
	Art Unit	2171
	Examiner	Te Y. Chen
	Attorney Docket No.	ST9-98-004

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a. ☒ Previously submitted: **Amendment After Final Rejection** filed on July 29, 2004.
 If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☐ Other:

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of __ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **Two-month extension of time** to respond to the outstanding Office Action.

c. ☐ Other

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0460.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other

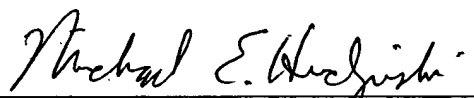
b. ☐ Check in the amount of \$770.00 (large entity) enclosed.

c. ☐ Check in the amount of \$ (large entity) to cover the applicable extension of time fees.

Respectfully submitted,

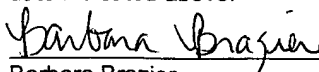
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FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLPSeptember 9, 2004
Date

 Michael E. Hudzinski, Reg. No. 34,185
 1100 Superior Avenue, Seventh Floor
 Cleveland, OH 44114-2518
 216/861-5582

"Express Mail" Mailing Label Number: EV 471020931 US - Date of Deposit: September 9, 2004

I hereby certify that this **RCE Transmittal** and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.


 Barbara Brazier

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